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12 GOOGLE INC.

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15 UNITED STATES DISTRICT COURT
16
17 NORTHERN DISTRICT OF CALIFORNIA
18
19 SAN FRANCISCO DIVISION

20 ORACLE AMERICA, INC.,

21 Plaintiff,

22 v.

23 GOOGLE INC.,

24 Defendant.

25 Case No. 3:10-cv-03561-WHA

26 REPLY DECLARATION OF DANIEL
27 BORNSTEIN IN SUPPORT OF
28 DEFENDANT GOOGLE INC.'S MOTION
FOR SUMMARY JUDGMENT ON
COUNT VIII OF PLAINTIFF ORACLE
AMERICA'S AMENDED COMPLAINT

29 Judge: Hon. William Alsup

30 Hearing: 2:00 p.m., September 15, 2011

1 I, Daniel Bornstein, declare as follows:

2 1. I am the same Daniel Bornstein who submitted an August 1, 2011 Declaration in
3 support of Defendant Google Inc.'s Motion for Summary Judgment on Count VIII of Plaintiff
4 Oracle America, Inc.'s Amended Complaint. I submit this reply declaration in support of
5 Defendant Google Inc.'s Motion for Summary Judgment on Count VIII of Plaintiff Oracle
6 America, Inc.'s Amended Complaint. I make this declaration based on my own personal
7 knowledge. If called as a witness, I could and would testify competently to the matters set forth
8 herein.

9 2. In my August 1, 2011 Declaration, I stated that eight files—AclEntryImpl.java;
10 AclImpl.java; GroupImpl.java; OwnerImpl.java; PermissionImpl.java; PrincipallImpl.java;
11 PolicyNodeImpl.java; and AclEnumerator.java—had been removed from the Android platform.
12 These files were not replaced by anything else. I know this to be true because I am the person
13 who removed them, and I did not replace them with anything else.

14 3. In my August 1, 2011 Declaration, I stated that certain comments in two files—
15 CodeSourceTest.java; and CollectionCertStoreParametersTest.java—had been removed from
16 those files. These comments were not replaced by anything else. I know this to be true because
17 I am the person who removed them, and I did not replace them with anything else.

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19 I declare under penalty of perjury that the foregoing facts are true and correct.

20 Executed on August 29, 2011 in Mountain View, California.

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A handwritten signature in blue ink that reads "Dan Bornstein". Below the signature, the name "Daniel Bornstein" is printed in a smaller, standard font. To the right of the printed name, the date "8/29/2011" is handwritten.